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SUBJECT: UGANDAN PERSPECTIVE ON MIGINGO ISLAND BORDER ISSUE

11. Summary. The Ugandan Government will accept the outcome of a joint border verification team, which is determining whether Uganda or Kenya owns tiny Migingo Island in Lake Victoria. The border verification team began work on May 6 and is expected to report its findings in mid-to-late June. The Migingo Island controversy arose in February when local Ugandan authorities began demanding fees from Kenyan fishermen on Migingo. Since then, Ugandan officials claim that Kenyan politicians have fanned anti-Ugandan sentiments for their own political purposes. The Ugandan Government views the dispute as a technical matter and Ugandan officials have so far refused to be drawn into the domestic political wrangling in Kenya. President Yoweri Museveni said Uganda will accept the outcome of the Commission findings in the interest of regional harmony. End Summary.

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Conflict Over Fishing Rights  
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12. Migingo Island is comprised of two narrow islands lying side-by-side in Lake Victoria and is inhabited by some 1,000 fishermen from fishing communities from several East Africa countries. It has, from our understanding, been under the Ugandan flag since independence in 1962, without any previous controversy. However, Kenyans dominate the population and it is this large percentage on Kenyans on the island that has tied together issues of occupancy, taxation, and sovereignty. The flashpoint occurred on February 21 when Ugandan authorities expelled some 400 Kenyan fishermen from the island for failure to pay \$23 fishing and \$70 annual boat licensing fees. Uganda fishing regulations require that all fish caught within Uganda territorial waters is sold to processors within Uganda. The Bugiri District government in Uganda has been responsible for collecting the fees. Ugandan Marines provide security for the island. The Ugandan flag, until two weeks ago, flew over the island. (Note: Museveni had the flag taken down to cool tempers until the dispute is resolved. End Note.)

13. Ownership of Migingo has sidetracked discussion of a greater source of potential conflict: declining fish stocks in Lake Victoria. Fred Mukisa, Uganda's Minister of State for Fisheries, hopes that the issue becomes part of the dialogue after the emotions generated by the dispute die down. Mukisa said that the waters around the island are rich in Nile Perch. Fishermen from both countries fish around the island and sell their catch to processing plants in Kenya, causing revenue losses to the Ugandan Government. Kenya owns just 6% of Lake Victoria, but its fishermen catch 180,000 metric tons of fish for export annually, according to Mukisa. Uganda, in contrast, owns 43% of the lake and exports 70,000 metric tons of fish annually. Uganda claims its earnings from fish exports have been dropping as fish stocks have been depleted. In 2006, Uganda earned \$117 million from fish exports. This figure dropped to \$112 million in 2007, according to Mukisa. He believes an agreement needs to be reached to prevent further declines in fish stocks.

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Media Reports Stirring Tensions  
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14. Ugandan Foreign Ministry officials complain that Kenyan

politicians and the media in both countries have blown the Migingo Island issue out of proportion, making it appear to be a serious border conflict. Uganda's Minister of State for International Affairs, Henry Okello Oryem told us that Kenyan politicians have inflamed their supporters, particularly among the youth, to demand that their government take action against Uganda, which is being portrayed as war-mongering and expansionist. Oryem said that further incitement by has resulted in provocative actions. On April 20, railway train wagons destined for Uganda and other countries in the Great Lakes Region were trapped in Nairobi after rioting youths uprooted the railway line protesting what they called "Uganda's illegal occupation on Migingo Island." The railway was immediately repaired, but the incident again highlighted Uganda's vulnerability as a landlocked economy dependent on the railway and road network from Mombassa.

15. Oryem said that Kenyan Prime Minister Raila Odinga, in particular, has used the issue politically to try to appear tougher on national security issues than President Kibaki. Moreover, Oryem claimed that Odinga was trying to paint Ugandan President Museveni as an "expansionist warmonger." Oryem said that Museveni informed cabinet that he was willing to give the Kenyans the island in the interest of East African harmony. Cabinet members pushed back and told Museveni that he should not give away sovereign Ugandan territory. Instead, the Cabinet advised Museveni that he should await the outcome of the survey. Museveni agreed and informed Kibaki. The two presidents will likely discuss the issue for a second time at the East African Community heads of state summit in Arusha on May 8. In the meantime, Oryem said that Museveni will seek a private meeting with Odinga to urge him to "stand down" on Migingo. Ugandan Government officials have been ordered not to respond to any media reports on Migingo as a way to keep the

KAMPALA 00000482 002 OF 002

situation calm.

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Verification Team Starts Work  
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16. Meanwhile, on May 6, a joint border verification team from Kenya and Uganda started to investigate the ownership of Migingo Island. Both governments agreed that the verification team will use the Order-In-Council of 1926, colonial maps, and the Constitutions of both countries as references during the investigation. The results of the survey are expected in mid or late June. Officials from the Ugandan and Kenyan Departments of Fisheries have visited Migingo together to asses the situation, help calm tensions on the island, and keep islanders informed of the next steps.

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Comment  
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17. Uganda officials have thus far not made any attempt to make political hay out of the Migingo dispute, and so far, the reaction of the Ugandan public has also been measured. Officials here maintain that the two countries will not go to war over Migingo Island, despite political rhetoric and media attempts to inflame the public over the issue. From the Ugandan perspective, the issue is technical in nature and easily resolved. As for the political heat being generated from the Kenyan side of the border, Ugandan officials have deliberately not allowed themselves to be lured into escalating the war of words. For his part, Museveni is loathe to disrupt tighter economic integration, especially with Kenya. We expect Ugandan officials to continue exercising restraint while awaiting the results of the verification.

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